

MARLBORO COUNTY COUNCIL

MARLBORO COUNTY CONFERENCE ROOM

THURSDAY, MARCH 9, 2006

6 PM

CHAIRMAN:	MARION WRIGHT
VICE CHAIRMAN:	JEAN WALLACE MCLEAN
INTERIM ADMINISTRATORS:	MILES HADLEY CARY MCSWAIN
COUNTY ATTORNEY:	DONNIE MCDONALD

COUNCIL:	JEAN MCLEAN,	JEFF QUICK,
	MICKEY ROGERS,	CORRIE H. PLATO,
	DR. CAROLYN PRINCE,	KEN ALLEN,
	EDMOND BLUE, AND	MARION WRIGHT

* ABSENT

CALL TO ORDER

INVOCATION

APPROVAL OF MINUTES – FEBRUARY 8, 2006 & FEBRUARY 16, 2006

Dr. Carolyn Prince requested that the Clerk to Council, Ms. Susan Rivers amend the February 8, 2006 minutes to reflect that she was not absent, only late and to show her the same courtesy as Ms. Mickey Rogers, Council member and show that she was not present for the vote of the first issue.

After the meeting the Clerk rechecked the minutes of February 8, 2006 and noted that the minutes were correct – Mr. Ken Allen was marked absent and it was noted in the minutes that Dr. Carolyn Prince was not present for the vote of the first issue.

Motion made by Mr. Ken Allen, seconded by Ms. Jean McLean approving the minutes of February 8, 2006. Vote in favor. Unanimous. Motion Carried.

Motion made by Mr. Jeff Quick, seconded by Ms. Jean McLean approving the minutes of February 16, 2006. Vote in favor: Mr. Edmond Blue, Ms. Mickey Rogers, Mr. Jeff Quick, Ms. Jean McLean, Mr. Ken Allen, Ms. Corrie Plato, and Mr. Marion Wright. Abstain: Dr. Carolyn Prince. Motion Carried.

PRESENTATIONS

Mr. Billy Weatherly, Tax Assessor – advised Council there had not really been any further changes or information since he attended the February Council Meeting. He advised that Smith Data could burn a backup disc if County decides to proceed with reassessment. He stated that in his opinion he believed that County should proceed with reassessment. He requested permission to proceed.

Ms. Janice Rozier & Ms. Mary Rogers, Tri County Mental Health – distributed literature to County Council in reference to the Marlboro County Mental Health Court. She advised that the grant which belongs to the County to run the Mental Health Court expires in June. She gave a general description of how the Mental Health Court serves the community and requested that County Council consider the continuation of funding the program.

OLD BUSINESS

ORDINANCE # 602 – AN ORDINANCE TO APPROVE A LEASE OF THE MARLBORO COUNTY SCHOOL DISTRICT BLENHEIM BALL FIELD FOR RECREATION PURPOSES – THIRD READING

Motion made by Mr. Jeff Quick, seconded by Dr. Carolyn Prince to approve the third reading of Ordinance # 602 – An Ordinance to approve a lease of the Marlboro County School District Blenheim Ball Field for recreation purposes. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 603 – AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT BETWEEN MARLBORO COUNTY AND MARLBORO WATER COMPANY, INC. – SECOND READING

Motion made by Edmond Blue, seconded by Mr. Ken Allen to approve the second reading of Ordinance # 603 – An Ordinance approving the settlement agreement between Marlboro County and Marlboro Water Company, Inc. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 604 – AN ORDINANCE TO AUTHORIZE AND DIRECT THE CHAIRMAN OF COUNTY COUNCIL AND THE CLERK TO THE COUNCIL TO EXECUTE, ON BEHALF OF THE COUNTY, A EASEMENT WITH MARLBORO COUNTY, SOUTH CAROLINA, AS GRANTOR, AND MARLBORO WATER COMPANY, INC. AS GRANTEE, UNDER THE RAILROAD OWNED BY MARLBORO COUNTY ON BEAUTY SPOT ROAD

FOR THE SOLE PURPOSE OF THE INSTALLATION OF A WATER LINE – SECOND READING

Motion made by Mr. Edmond Blue, seconded by Ms. Mickey Rogers to approve the second reading of Ordinance # 604 – An Ordinance to authorize and direct the Chairman of County Council and the Clerk to the Council to execute, on behalf of the County, a easement with Marlboro County, South Carolina, as grantor, and Marlboro Water Company, Inc. as grantee, under the railroad owned by Marlboro County on Beauty Spot Road for the sole purpose of the installation of a water line. Vote in favor. Unanimous. Motion carried.

NEW BUSINESS

ORDINANCE # 605 – AN ORDINANCE TO APPROVE THE CAPITAL IMPROVEMENT PLAN FOR MARLBORO COUNTY FOR THE PERIOD OF FY 2007 – FY 2011 – FIRST READING

Discussed briefly by Mr. Cary McSwain, Interim Administrator. Mr. McSwain advised he was not satisfied with the plan as is – would make adjustments.

Motion made by Ms. Jean McLean, seconded by Mr. Ken Allen to approve Ordinance # 605 – An Ordinance to approve the Capital Improvement Plan for Marlboro County for the period of FY 2007 – 2011. Vote in favor. Unanimous. Motion Carried.

RESOLUTION # 03-06-01 – A RESOLUTION ACCEPTING A GRANT AWARD FROM THE STATE OF SC DEPARTMENT OF COMMERCE – DIVISION OF AERONAUTICS FOR AIRPORT IMPROVEMENTS.

Motion made by Mr. Jeff Quick, seconded by Ms. Mickey Rogers approving Resolution # 03-06-01 – A Resolution accepting a grant award from the State of SC Department of Commerce – Division of Aeronautics for Airport Improvements. Vote in favor. Unanimous. Motion Carried.

RESOLUTION # 03-06-02 – A RESOLUTION ACCEPTING THE S.C. LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT - \$14,467.00.

Dr. Carolyn Prince asked what the grant was for. Mr. Cary McSwain, Interim Administrator advised it was a routine yearly grant used for equipment replacement.

Motion made by Ms. Mickey Rogers, seconded by Mr. Edmond Blue approving Resolution # 03-06-02 – A Resolution accepting the S.C. Local Emergency Management Performance Grant - \$14,467.00. Vote in favor. Unanimous. Motion Carried.

ORDINANCE # 606 – AN ORDINANCE AUTHORIZING THE TRANSFER OF PROPERTY FROM A LEASE AGREEMENT, WITH AN INFRASTRUCTURE TAX CREDIT PURSUANT TO TITLE 4, CHAPTER 12 OF THE CODE OF LAWS OF SOUTH

CAROLINA, 1976, AS AMENDED TO A FEE AND INFRASTRUCTURE TAX CREDIT AGREEMENT PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; THE ENTERING INTO A CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS INCLUDING THE AFORESAID FEE AND INFRASTRUCTURE TAX CREDIT AGREEMENT AND PRESCRIBING MATTERS RELATED THERETO – FIRST READING

Mr. Donnie McDonald, County Attorney discussed briefly. He advised that this is the Rockwell Plant which Marlboro County owns.

Motion made by Mr. Ken Allen, seconded by Mr. Jeff Quick to approve the first reading of Ordinance # 606- An Ordinance authorizing the transfer of property from a lease agreement, with an infrastructure tax credit pursuant to Title 4, Chapter 12 of the Code of Laws of South Carolina, 1976, as amended to a fee and infrastructure tax credit agreement pursuant to title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; the entering into a certain covenants and agreements and the execution and delivery of certain instruments including the aforesaid fee and infrastructure tax credit agreement and prescribing matters related thereto. Vote in favor. Unanimous. Motion carried.

ITEMS ADDED TO AGENDA

Motion made by Mr. Ken Allen, seconded by Mr. Jeff Quick to add an item to the agenda.. Vote in favor. Unanimous. Motion carried.

Reverend Charles Malloy spoke to County Council during Work Session prior to the meeting. He advised he would like to apply for a Rural Infrastructure Fund application. He requested that Marlboro County donate the Plaza Building for an Entrepreneurial Development and Training Center. He also advised that Marlboro County would be required to sponsor the application. Also requested was a provision of utilities for a period of two years. These provisions would be Marlboro County's match for the grant application. He advised that no funds would be requested of Marlboro County.

Mr. Cary McSwain advised the County may wish to "convey" the property for \$1.00 as a match. It was also stated to include a clause to state that the property would be returned to the County in the event it was no longer needed by CDC.

RESOLUTION # 03-06-03 – AN INDUCEMENT RESOLUTION AUTHORIZING THE COMMUNITY DEVELOPMENT CORPORATION TO APPLY FOR A RURAL INFRASTRUCTURE FUND APPLICATION. MARLBORO COUNTY AGREES TO A MATCH OF CONVEYANCE OF PROPERTY(PLAZA BUILDING) BY ORDINANCE AND TWO YEARS PROVISION OF UTILITIES, DEPENDANT UPON APPROVAL OF APPLICATION.

Motion made by Mr. Ken Allen, seconded by Mr. Jeff Quick to approve Resolution # 03-06-03 – An Inducement Resolution authorizing the Community Development Corporation

to apply for a Rural Infrastructure Fund Application. Marlboro County agrees to a match of conveyance of property (Plaza Building) by Ordinance and two years provision of Utilities, dependant upon approval of application. Vote in favor: Mr. Edmond Blue, Ms. Mickey Rogers, Mr. Jeff Quick, Mr. Ken Allen, Ms. Jean McLean, Ms. Corrie Plato, and Mr. Marion Wright. Abstain: Dr. Carolyn Prince. Motion carried.

Motion made by Dr. Carolyn Prince, seconded by Ms. Mickey Rogers to add an item to the Agenda. Vote in favor. Unanimous. Motion carried.

REQUEST OF TAX ASSESSOR FOR PERMISSION TO PROCEED WITH THE REASSESSMENT

Motion made by Dr. Carolyn Prince, seconded by Ms. Jean McLean to grant permission for the Tax Assessor to proceed with the Reassessment as legally required by the State. Vote in favor. Unanimous. Motion carried.

Motion made by Ms. Jean McLean, seconded by Mr. Ken Allen to add an item to the Agenda. Vote in favor. Unanimous. Motion carried.

ECONOMIC DEVELOPMENT DIRECTOR REQUEST OF FUNDS IN THE AMOUNT OF \$26,800 FOR IMPROVEMENTS FOR THE MARLBORO COUNTY INDUSTRIAL PARK SPEC BUILDING

Discussed in Work Session. It was noted that the Spec Building is jointly owned with the City of Bennettsville and that the City and County should pay 50/50 on any improvements.

Motion made by Ms. Jean McLean, seconded by Mr. Ken Allen to approve up to \$26,800 for improvements to the Spec Building contingent upon a 50/50 match of funds paid by Marlboro County and the City of Bennettsville. Vote in favor. Unanimous. Motion carried.

APPOINTMENTS TO BOARDS AND COMMISSIONS

No appointments were made.

REPORTS

COMMITTEE REPORTS

Public Safety – Mr. Ken Allen advised the committee had met with Sheriff Fred Knight and Mr. Cary McSwain, Interim Administrator. He advised the Sheriff was willing to work with Council on obtaining a new building. Ms. Dottie Fowler, Grant Coordinator is currently looking for funds.

Dr. Carolyn Prince advised she had spoken with Senator Kent Williams and was advised the Sheriff needed to ask for more funds from the State, he may be able to get more.

Library Project - Mr. Marion Wright advised the next meeting will be March 15th at 4 pm for the Library Design Committee.

Recreation Committee – Mr. Jeff Quick advised the committee had met the previous evening to discuss a few issues. The Recreation Commission had also met the previous evening with low turn out on part of the Commission. He stated Council Members needed to encourage their appointees to attend the meetings. Mr. Quick also advised Council may need to call a meeting to approve bids for a little league field – time was of the essence.

ADMINISTRATIVE/FINANCIAL REPORT – CARY MCSWAIN, INTERIM COUNTY ADMINISTRATOR

Expenditures - Expenditures were at 67% for the total year to-date. Mr. McSwain advised that a few departments were slightly ahead of the budget – most were one time line items. The cut off date is set for May 15th – will discourage a flurry of spending at the end of the fiscal year.

Airport Contract – advised even though a couple discrepancies, Mr. Barry Avent signed the Airport contract. Mr. McSwain recommended re-evaluating the contract in three to six months.

Mohawk – Contractors for the Rail Line had not been paid since December. Mr. McSwain met with Mr. Perugini and the Contractors – requested invoicing.

Grand Opening was set for March 15th beginning at 10 am until 11:30 am. All Council Members were encouraged to attend.

Mr. McSwain met with Mr. Ed Lewis, Aberdeen Rockfish to discuss the Wye. There was a mistaken understanding of the current status of the project – Currently well ahead of schedule. Also, Mr. McSwain is negotiating with Aberdeen Rockfish in regards to the additional funds on the wye – will review the original contract – think Marlboro County is in good shape.

Court House – has spoken with all who are interested in space when the Sheriff vacates the Courthouse. Stated that no one should be grabbing, but sit down and discuss what will be more functional for the Courthouse – all were in agreement. Advised they would not all get what they want.

Landscaping - no way County Staff can complete the work and keep up with the fires. Staff is looking at the grant to see what funds are available. SC DOT has verbally agreed to an extension and funds. The project will be completed as soon as possible. Mr. McSwain will hold a meeting with all of the people involved including the approved landscaper.

Building Inspections – Mr. Godfrey Johnson is retiring March 31st. He is the only person who makes the address signs for the County – he has been asked to remain part-time to continue with addressing. He has agreed to stay until someone else can be trained.

The inspections for Mohawk are going very well. England Enterprises is doing a good job.

Friday Status Report – will send a brief report each week to update Council on County issues.

DMV Decal Issuance – has spoken with the Treasurer about the possibility of using decals in the county. Will continue to pursue with her.

Budget (Utilities) - the City of Bennettsville raised the rates mid-year which may cost the County \$65,000 by June 30th. We are looking for funds to transfer and other options.

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

Mr. Jim Austin - advised he lives on the Marlboro County side of Highway 34 on a 120 acre tract of land. He along with his neighbors are concerned. He stated a Public Notice has been posted by DHEC stating redevelopment of 43 acres adjoining their properties – downing the tracts to two (2) acres each and plans to put mobile homes on it. Mr. Austin is concerned this will depreciate the cost of their homes. They are also concerned about the wetlands and how so many septic tanks will affect them. He requested that Council contact DHEC on their behalf and request a scientific study before issuing any permits.

Ms. Ida Ridges – advised the problems with the garbage has improved – Mr. Lewis Cooper is working on it. However, the loud noise is still a problem – she has contacted the Sheriff's office and been advised that the Noise Ordinance is not worth the paper it is written on. She was advised Council will be reviewing the current ordinance for what ever changes is needed. Also, the Administrator would contact the property owners to make them aware of the situation and try to resolve it.

RECOGNITION OF COUNCIL MEMBERS

Mr. Edmond Blue – was concerned about how the owner could close Hunts Bluff Road. He was advised the owner took legal steps to do so – County has no rights to the property.

Dr. Carolyn Prince - asked Mr. McSwain to check with the Association of Counties to determine whether Marlboro County's Organizational Rules are legal. He advised he would.

EXECUTIVE SESSION

Motion made by Mr. Jeff Quick, seconded by Ms. Mickey Rogers to enter Executive Session to discuss a personnel issue. Vote in favor. Unanimous. Motion carried.

Motion made by Ms. Jean McLean, seconded by Mr. Jeff Quick to re-enter open session. Vote in favor. Unanimous. Motion carried.

Mr. Marion Wright, Chair advised no decisions had been made, no votes had been taken.

Page Eight – March 9, 2006 Minutes

ADJOURNMENT

There was no further discussion. The meeting was adjourned.

Minutes were approved April 13, 2006

Susan E. Rivers, Clerk to Council